Canada Industrial Relations Board

for the period ending March 31, 2010

Departmental Performance Report

The original version was signed by

The Honourable Lisa Raitt
Minister of Labour

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Message from the Chairperson

I am pleased to present to Parliament and Canadians the annual Performance Report of the Canada Industrial Relations Board (the CIRB or the Board) for the period ending March 31, 2010. This is the twelfth such report since the CIRB was created in 1999.

I have now completed half of my five-year mandate as Chairperson of the CIRB and I am pleased to report that considerable progress has been achieved in reaching the objectives I established when I took office. These objectives are to reduce the delays in dealing with outstanding complaints and applications and to improve the timeliness of Board decisions.

When I was appointed in January 2008, there were 643 matters pending before the CIRB; 23.6% of these matters had been pending for more than two years. Two years later, this backlog has been reduced to 428 pending matters, with less than 15% outstanding for more than two years. In addition, the average processing time has been reduced by 30% during the last two fiscal years. The challenge in the coming years will be to maintain this momentum and to develop and implement practices and procedures that will further assist the Board in improving the timeliness of its decisions.

I am proud of the CIRB's accomplishments to date and confident that the dedicated efforts of the CIRB's members and staff will enable it to provide fair and expeditious dispute resolution services and meet its commitments to the labour relations community. We will continue to emphasize initiatives that build positive working relationships and support harmonious labour-management relations in the federally regulated private sector.

The original version was signed by

Elizabeth MacPherson
Chairperson

SECTION I: DEPARTMENTAL OVERVIEW

Raison d'être and Responsibilities

Raison d'être

To contribute to and promote a harmonious industrial relations climate in the federally regulated sectors through the impartial, effective and appropriate administration of the rules of conduct that govern labour and management in their representational and bargaining activities.

Responsibilities

The CIRB is an independent, representative, quasi-judicial tribunal, responsible for the interpretation and application of the *Canada Labour Code* (the *Code*), Part I, Industrial Relations, and certain provisions of Part II, Occupational Health and Safety. It was established in January 1999, to replace the previous Canada Labour Relations Board, through amendments to Part I of the *Code*.

Part I of the *Code* establishes the framework for collective bargaining, the acquisition and termination of bargaining rights, unfair labour practices and protection of public health and safety in the event of work stoppages affecting essential services.

The CIRB has jurisdiction in all provinces and territories with respect to federal works, undertakings or businesses in the following sectors:

- Broadcasting
- Chartered banks
- Postal services
- Airports and air transportation
- Shipping and navigation
- Interprovincial or international transportation by road, railway, ferry or pipeline
- Telecommunications
- Grain handling and uranium mining and processing
- Most public and private sector activities in the Yukon, Nunavut and the Northwest Territories
- Band Councils and some First Nations undertakings
- Federal Crown corporations (including, among others, Atomic Energy of Canada Limited and the national museums)

The federal jurisdiction covers some 825,000 employees and their employers, and includes enterprises that have a significant economic, social, and cultural impact on Canadians from coast to coast. The variety of activities conducted in the federally regulated sector, as well as its geographical spread and national significance, contribute to the uniqueness of the federal jurisdiction and the role of the CIRB.

The Board's role is to exercise its powers in accordance with the Preamble and provisions of the *Code*, which state that Parliament considers "the development of good industrial relations to be in the best interests of Canada in ensuring a just share of the fruits of progress to all." To that

end, the Board aims to be responsive to the needs of the industrial relations community across Canada.

Strategic Outcome and Program Activity Architecture (PAA)

Strategic Outcome

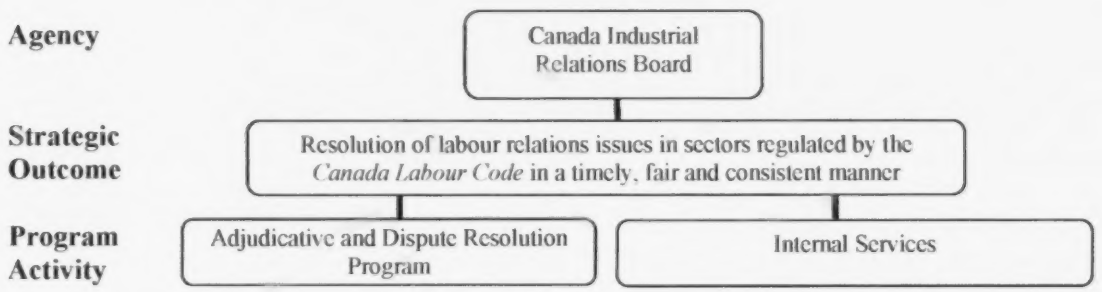
In pursuing its mandate, the CIRB seeks to achieve the following strategic outcome:

Resolution of labour relations issues in sectors regulated by the *Canada Labour Code* in a timely, fair and consistent manner

The CIRB's strategic outcome is aligned with the government's Economic Affairs and supports the government's desired outcome of ensuring a Fair and Secure Marketplace through the impartial, effective and appropriate administration of the rules governing the conduct of employers and unions, in order to ensure stable labour-management relations and productive workplaces.

Program Activity Architecture

Based on its legislated mandate and its currently approved PAA, the CIRB has a single strategic outcome and two program activities.


Agency
Canada Industrial Relations Board
Strategic Outcome
Resolution of labour relations issues in sectors regulated by the *Canada Labour Code* in a timely, fair and consistent manner
Program Activity
Adjudicative and Dispute Resolution Program
Internal Services

Summary of Performance

The following table provides a summary of the total spending for the Canada Industrial Relations Board for 2009–10.

2009–10 Financial Resources ($ thousands)

Planned Spending	Total Authorities	Actual Spending
12,587	13,765	13,326

2009–10 Human Resources Full-Time Equivalents–FTEs

Planned	Actual	Difference
110	105	-05

Strategic Outcome: Resolution of labour relations issues in sectors regulated by the *Canada Labour Code* in a timely, fair and consistent manner		
Performance Indicators	**Targets**	**2009–10 Performance**
Number of applications and complaints resolved as a percentage of applications/complaints received	100%	Exceeded The Board disposed of more cases than it received during the period The number of applications/complaints resolved as a percentage of application/complaints received represents 102%

($ thousands)

Program Activity	2008–09 Actual Spending	2009–10[1]				Alignment to Government of Canada Outcome
		Main Estimates	Planned Spending	Total Authorities	Actual Spending[2]	
Adjudicative and Dispute Resolution Program	10,570	9,188	9,188	9,774	9,546	Fair and Secure Market Place The CIRB promotes stable industrial relations within the industrial sectors that fall under federal jurisdiction, thus ensuring safe, fair and productive workplaces that contribute positively to the Canadian economy
Internal Services	3,153	3,399	3,399	3,992	3,780	
Total	13,723	12,587	12,587	13,766	13,326	

The variance between planned spending and total authorities is $1.1 million and consists of $414,000 carried forward from the previous fiscal year; and $765,000 transferred from Treasury Board to offset employee salary increases as a result of collective agreements and contributions to employee benefits.

[1] Commencing in the 2009–10 Estimates cycle, the resources for Program Activity: Internal Services are displayed separately from other program activities; they are no longer distributed among the remaining program activities, as was the case in previous Main Estimates. This has affected the comparability of spending and FTE information by Program Activity between fiscal years.

[2] The actual spending represents 97% of total authorities.

Contribution of Priorities to Strategic Outcome

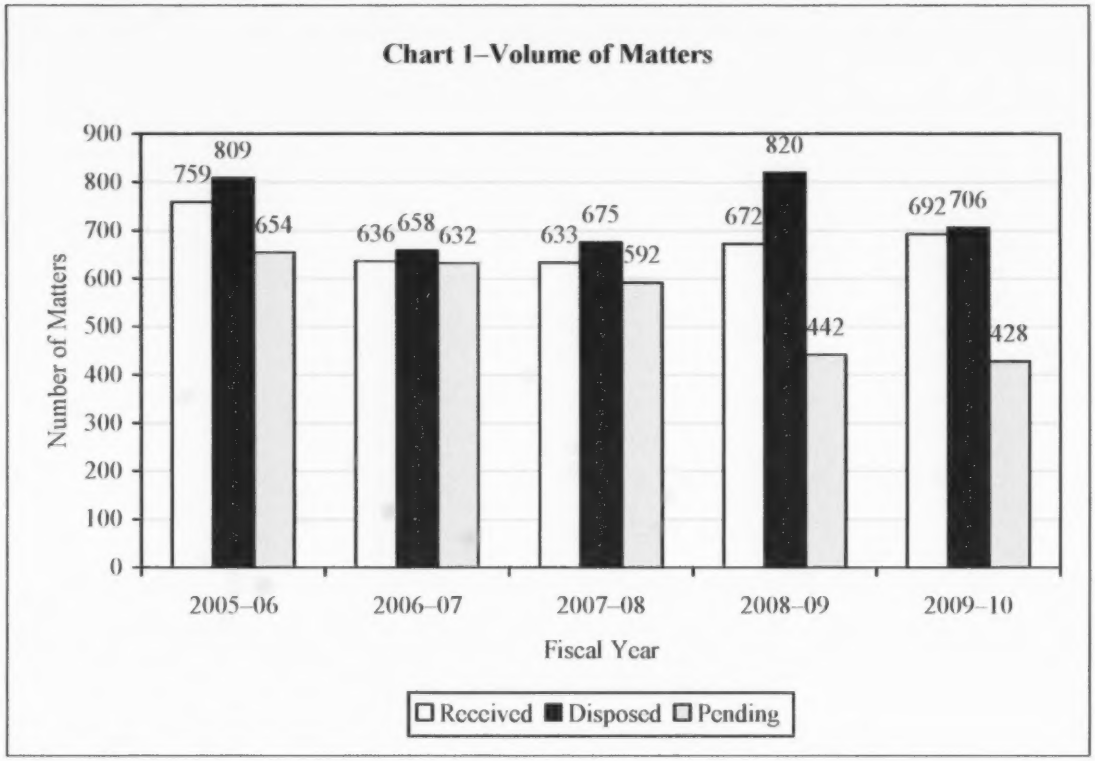
Operational Priorities	Type[3]	Status	Linkages to Strategic Outcome
Deliver on the Board's statutory mandate under the *Canada Labour Code*	Ongoing	Met all	All of these priorities are linked to our sole strategic outcome: • Resolution of labour relations issues in sectors regulated by the *Canada Labour Code* in a timely, fair and consistent manner and are directly linked to our program activity: • Adjudicative and Dispute Resolution Program By resolving matters, through mediation or adjudication, the Board effectively and directly contributes to its strategic outcome
Maintain accelerated reduction in the number of backlog cases	Ongoing	Met all	
Reduce average case disposition time	Ongoing	Met all	
Monitor and fine tune new duty of fair representation (DFR) complaint process and disposition	Ongoing	Met all	
Client consultations	Ongoing	Met all	

Management Priorities	Type[3]	Status	Linkages to Strategic Outcome
Prepare action plan following the Board's Management Accountability Framework Evaluation	New	Mostly met. Action plan was developed and work began on implementing corrective measures	• Internal Services–Supports Strategic Outcome

Volume of Matters

While the nature of the demand for Board services may vary, depending on the state of the economy and other factors, the absolute number of incoming applications/complaints has remained relatively constant over the last four fiscal years. A total of 692 applications/complaints were received in 2009–10, which represents 20 more cases than in 2008–09 (see Chart 1). This level is much lower than the average of 823 per year in the earlier part of the decade.

[3] Type is defined as follows: **previously committed to**—committed to in the first or second fiscal year prior to the subject year of the report; **ongoing**—committed to at least three fiscal years prior to the subject year of the report; and **new**—newly committed to in the reporting year of the RPP or DPR.



Unfair labour practice (ULP) complaints represented almost 41% of incoming matters in 2009–10. This is further broken down, with DFR complaints representing 24.3% of cases and other ULP complaints representing 16.6% of cases. Applications for certifications and reviews also represent a significant portion of incoming matters at 15.6 and 18% respectively.

With respect to the number of cases that were resolved, the Board disposed of 706 matters in 2009–10, which is 114 fewer than the previous fiscal year (see Chart 1). The reason for this 13.9% decline is the fact that the Board conducted a blitz in 2008–09 to resolve a large number of DFR complaints that had accumulated over the years. This resulted in the Board disposing of more matters in 2008–09 than it would otherwise have done. In 2009–10, the Board disposed of 74 fewer DFR cases, which represents 65% of the decrease in matters disposed. Also, it should be noted that the rate of disposition for 2009–10 is more indicative of the Board's sustainable level given its current resources and volume of matters.

Reducing the backlog of pending cases and improving average case disposition time are, to a certain extent, related and highly dependent on various initiatives that were introduced over the years to improve the processing of cases. These initiatives have reduced the number of backlog cases to its lowest level in over 23 years, as well as lowered the average processing time of applications/complaints by more than 25%.

As more cases were disposed than received in 2009–10, the number of pending matters declined to 428 at the end of March 2010.

Complex Matters
The CIRB's workload and disposition rate continues to be affected by the relative large number of more complex matters, which typically involve lengthy hearings and numerous provisions of the *Code*. Such cases are both longer to process and require more of the Board's resources for their disposition. Complex cases accounted for 89 of the number of matters received in 2009–10, representing close to 13% of the total. Applications involving a sale of business are usually particularly complex and account for more than a third of all complex matters.

Expedited Matters
In addition to more complex cases, the *Canada Industrial Relations Board Regulations, 2001* (the *Regulations*) stipulate that certain types of matters require priority attention. These cases include requests for an interim order/decision, requests to file Board orders in Court, referrals to the Board by the Minister of Labour relating to the maintenance of activities during a legal work stoppage, applications alleging an invalid strike or lockout vote, applications for a declaration of unlawful strike or lockout, and ULP complaints alleging the use of replacement workers or dismissal for union activities. Such matters are scheduled, heard and decided in priority to other elements in the Board's caseload. Priority is also given to the processing and consideration of applications for certification, and to any other matter in which there appears to be a significant potential for adverse industrial relations consequences if there is a delay in resolution.

The setting of priorities inevitably results in the deferral of less urgent matters. Consequently, scheduling pressures can make very lengthy or complex matters—the kind of matters that are now typically scheduled for oral hearing by a panel of the Board—difficult to resolve expeditiously. In fiscal year 2009–10, the Board received 51 applications for matters that required priority attention.

Written Decisions
The Board issues detailed *Reasons for decision* in matters of broader national significance and/or significant precedential importance. In other matters, concise letter decisions help expedite the decision-making process, thereby providing more timely industrial relations outcomes for the parties involved. The Board strives to provide timely and legally sound decisions that are also consistent across similar matters in order to establish strong and clear jurisprudence.

The CIRB issued 49 detailed *Reasons for decision* in 2009–10, and 219 letter decisions, for a total of 268 written decisions. While this is fewer than in 2008–09—in large part due to focused effort to dispose of DFR cases, as mentioned earlier—it is generally higher than in any other year in the decade.

Examples of significant Board decisions rendered in 2009–10 can be found at: http://www.cirb-ccri.gc.ca/publications/report-rapport_eng.asp.

Monitor and Fine-tune the DFR Complaint Process
The current DFR complaint process was implemented on March 1, 2008, after lengthy discussion and the trial of other processes. The goal of improving the handling of DFR complaints was largely to simplify and expedite their disposition. While DFRs are not usually the type of matter that require priority attention, the volume of such cases represents a significant proportion of the

Board's caseload. DFR cases were having an increasingly negative impact on the Board's overall processing performance and represented a growing proportion of the case backlog.

Since the implementation of the current DFR complaint process, the number of pending DFRs has fallen from 235 at the end of 2007–08 (representing almost 40% of all pending matters) to 88 at the end of March 2010 (representing a little more than 20% of all pending matters). Furthermore, the overall processing time for this type of matter decreased from 489 to 269 days over the same period.

Client Consultations
Client consultations continued during fiscal year 2009–10 and valuable input was received with respect to the processing and management of matters before the Board. The Board will continue to engage the labour-management community as it commences a full review of its *Regulations*.

Management Priority
The CIRB continues to take appropriate steps to ensure that strong management practices are in place. During fiscal year 2009–10, in response to the Board's Management Accountability Framework Assessment, an action plan to strengthen areas requiring improvements was drafted and work began on implementing corrective measures. The CIRB will continue to work with Treasury Board Secretariat to position ourselves to achieve, at a minimum, an acceptable rating in all areas of management.

Risk Analysis

The CIRB is a low risk agency. Financially, approximately four fifths (82%) of its $13.3 million operating budget is for salaries and benefits. Of the remaining $2.4 million in Operations and Maintenance (O&M), 53% is for travel and professional services, and is largely related to the processing of cases such as travel to external hearings, temporary rental of hearing rooms, interpretation services and translation of Board decisions. The Board adheres to Treasury Board policies for the expenditure of its O&M budget.

Operating Environment
The Board has an ongoing operating challenge in that the CIRB's sole function is to respond to the matters referred to it by unions, employers, employees and the Minister of Labour. As such, the CIRB's operational activities are driven by external demands that it can only react to rather than plan for.

The Board's workload is a function of many variables, but the economic environment is a key determinant of the types of cases submitted to the Board. For example, corporate mergers, acquisitions and restructuring tend to increase the demand for bargaining unit reviews. Corporate bankruptcies and insolvencies frequently result in a loss of or decrease in the level of collectively bargained salary and employment benefits, with resultant increases in duty of fair representation and bad faith bargaining complaints. The negotiation or renegotiation of collective agreements in areas essential to public health or safety creates demand for Board investigations and rulings on maintenance of activities issues. However, except for a slight increase in the proportion of applications for successor rights and for maintenance of activities, the profile of

applications/complaints received by the Board in 2009–10 has not changed significantly since the start of the recession.

Although the nature of the demand for Board services may vary, depending on the state of the economy, the absolute number of incoming applications and complaints has remained relatively constant over the last few years, with only a marginal increase during the 2009–10 fiscal year.

Processing Time

The Board's largest operational risk is associated with the number of applications and complaints it receives in a given year, combined with its ability to continue to reduce its backlog of cases. To mitigate this risk, priority is given to the processing and consideration of matters in which it appears that delay will pose a significant potential for adverse industrial relations consequences, or where other identifiable factors require a matter to be promptly addressed. In addition, the CIRB adopted new procedures for the processing of duty of fair representation complaints over the last year. This year, the CIRB will begin a comprehensive review of its *Regulations* to ensure effective and efficient handling of applications and complaints and will fine-tune the processing of applications for certification. It is expected that these mitigating strategies will greatly reduce the time it takes to process matters, which in turn will continue to reduce the number of backlog cases.

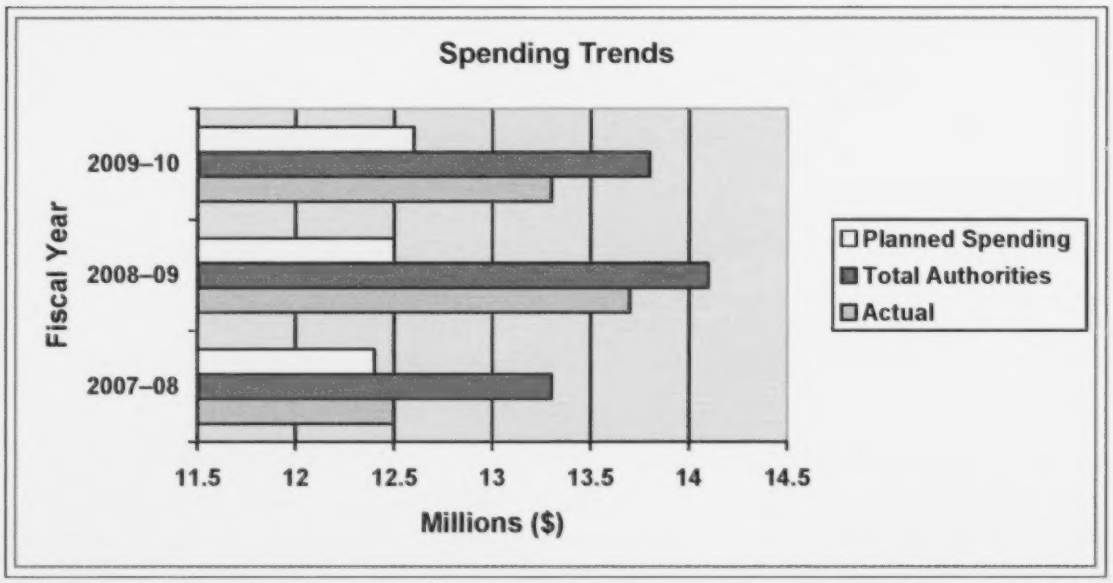
Quality of Decisions

In addition to the timeliness of decisions, a second operational risk involves the quality of the decisions. Decisions that are not based on sound legal and industrial relations principles would not only lead to flawed jurisprudence, but would also create uncertainty in the client community. It should be noted that all but two of the 129 judicial review applications that the Federal Court of Appeal heard were dismissed in the 2004–05 to 2009–10 period. This underscores the importance of the quality of Governor-in-Council (GIC) appointments that are made to the Board and the experience and expertise that these appointees bring to it.

Human Resources

The CIRB, like most of the federal public service, is facing challenges with employee retention and departures due to retirement. Over 60% of the Board's staff is eligible to retire in the next five years. In addition, results from the Public Service Employee Survey identified issues related to career progression within the Board. As the CIRB is a small and specialized organization, the impact of staff turnover can be significant. Maintaining continuity of the Board's corporate knowledge requires sustained focus on recruitment, training and succession planning. In the past year, the Board has responded by putting in place development programs and positions and will continue to look for opportunities to expand its training and career development opportunities.

Expenditure Profile



Over the past three years, planned spending has increased by approximately $150,000 and represents adjustments in salary and benefits prescribed by collective agreements. The difference between total authorities and planned spending represents both temporary and permanent adjustments to address salary and benefit increases prescribed by collective agreements or by Treasury Board policy, amounts carried forwards from previous years, and for 2008–09, an amount received from HRSDC for the relocation of two regional offices. The decrease in actual spending from 2008–09 to 2009–10 is mostly due to the expenditures related to the relocation and retrofit of two regional offices in 2008–09 for approximately $729,000; however this is offset by an increase of $332,000 in salary and benefits adjustments prescribed by collective agreements and Treasury Board policy for a net decrease of $397,000.

It should be noted that the Board's success in delivering on its mandate is directly tied to the knowledge, skills and professionalism of a dedicated team of employees and GIC appointees. As a result, a large part (82%) of the CIRB's budget is allocated to salary and benefits.

Voted and Statutory Items

($ thousands)

Vote or Statutory Item (S)	Truncated Vote or Statutory Wording	2007–08 Actual Spending	2008–09 Actual Spending	2009–10 Main Estimates	2009–10 Actual Spending
10	Operating expenditures	11,138	12,296	11,122	11,712
(S)	Contributions to employee benefit plans	1,378	1,427	1,465	1,614
	Total	12,516	13,723	12,587	13,326

SECTION II: ANALYSIS OF PROGRAM ACTIVITY BY STRATEGIC OUTCOME

Strategic Outcome

Resolution of Labour Relations Issues in Sectors Regulated by the *Canada Labour Code* in a Timely, Fair and Consistent Manner

When the Board receives an application or complaint, it is usually because there is some form of unresolved conflict or problem in the workplace that the parties involved have been incapable of resolving on their own. Through mediation or by issuing a decision, the Board effectively and directly contributes to its sole strategic outcome namely, the resolution of labour relations issues. The impact of the work of the Board can be both broad-ranging and significant. The Board's decisions and mediation efforts often affect, in very tangible ways, the working lives of thousands of Canadians, the economic position of leading Canadian corporations, and the general well-being of the Canadian public.

The Board also contributes, in an indirect but no less important manner, to effective industrial relations in the federal jurisdiction. Each time it issues a decision, the Board adds to its growing jurisprudence, which is widely disseminated to the industrial relations community. Clear and consistent jurisprudence provides an environment where potential litigants are more likely to resolve matters on their own, rather than to bring the matter before the Board. It is, however, difficult to ascribe a quantitative measure to this contribution to the labour-management relationship.

Program Activities by Strategic Outcome

The CIRB has only one key operational program activity—the Adjudicative and Dispute Resolution Program. Through this program, the CIRB resolves labour relations issues by exercising its statutory powers relating to the application and interpretation of Part I (Industrial Relations), and certain provisions of Part II (Occupational Health and Safety), of the *Code*. Activities include the granting, modification and termination of bargaining rights; the investigation, mediation and adjudication of complaints alleging violation of Part I of the *Code*; the determination of levels of services required to be maintained during a work stoppage; the exercise of ancillary remedial authority; the exercise of cease and desist powers in cases of unlawful strikes or lockouts; the settlement of the terms of a first collective agreement; and the provision of administrative services to support these activities.

The second activity of the Board, which would not exist without the first, is to provide the internal support required to carry out the Board's primary program. It consists of the groups of activities and resources that are administered to support the operational needs of the Board's Adjudicative and Dispute Resolution Program and other corporate obligations of the CIRB, including Central Agency requirements. These groups are: management and oversight services; human resources services; financial and administrative services (including facilities, materiel and procurement services); information management services; and information technology services.

Information on both activities is provided in the tables below.

Program Activity 1: Adjudicative and Dispute Resolution Program					
2009–10 Financial Resources ($ thousands)			**2009–10 Human Resources (FTEs)**		
Planned Spending	**Total Authorities**	**Actual Spending**	**Planned**	**Actual**	**Difference**
9,188	9,774	9,546	80	74	-6

Expected Results	Performance Indicators	Targets	Performance Status	Performance Summary
Labour relations issues are resolved in a timely, fair and consistent manner	Average case processing time	50 days or less for certification applications that do not require a vote	Mostly met	Almost 60% of certification applications that do not require a vote are disposed of in 50 days or less. Average processing time for all cases declined by 25%
	Average decision-making time	90 days or less	Mostly met	More than 73% of matters had a decision-making time of 90 days or less. Excluding DFR complaints, which are lower priority cases, the percentage increases to almost 84%
	Percentage of CIRB decisions upheld in Federal Court	100%	Mostly met	Of the 20 applications heard by the Federal Court of Appeal for judicial review of Board decisions, only one of the applications was granted
	Percentage of applications for reconsideration of original CIRB decisions	Less than 10%	Met all	A total of 48 applications for reconsideration were received, which represents 6.9% of matters received by the Board

Program Activity 2: Internal Services					
2009–10 Financial Resources ($ thousands)			**2009–10 Human Resources (FTEs)**		
Planned Spending	**Total Authorities**	**Actual Spending**	**Planned**	**Actual**	**Difference**
3,399	3,992	3,780	30	31	+1

Benefits for Canadians

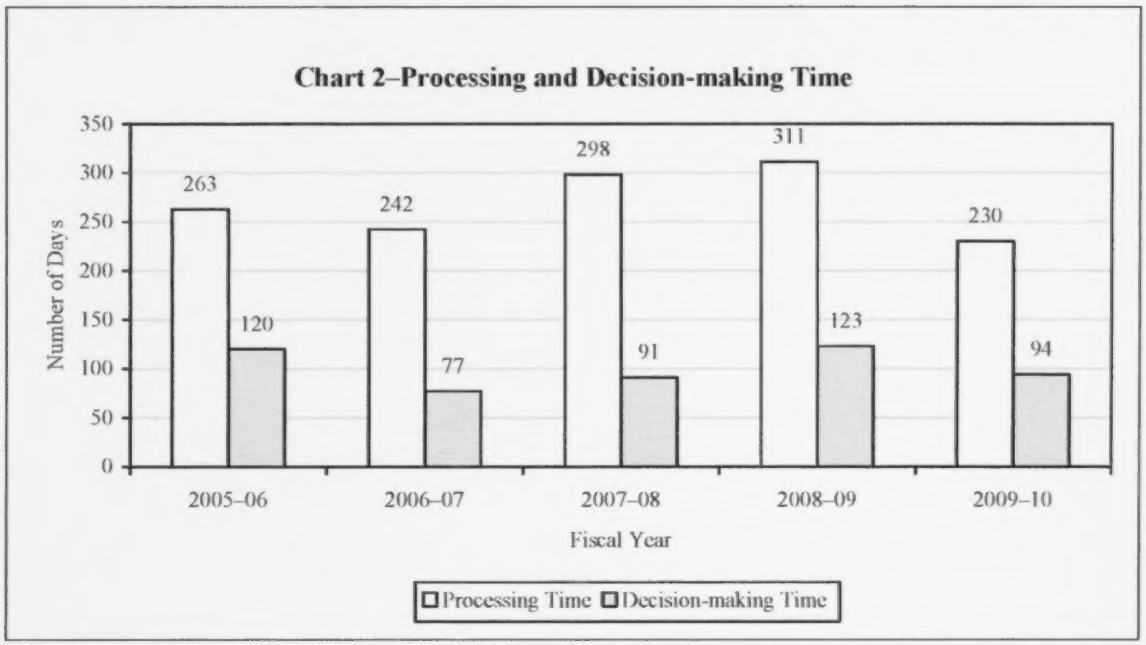
The Board contributes to promoting a harmonious industrial relations climate in the federally regulated sector through the impartial, effective and appropriate administration of the rules of conduct that govern labour and management in their representational and bargaining activities. In achieving this, the Board provides effective industrial relations solutions for the Canadian labour relations community in a fair and timely manner.

The impact of the work of the Board can be both broad-ranging and significant. The Board's decisions and mediation efforts often affect, in very tangible ways, the working lives of thousands of Canadians, the economic position of leading Canadian corporations, and the general well-being of the Canadian public. When the Board receives an application or complaint, it is usually because there is some form of unresolved conflict or problem that the parties involved have been incapable of resolving on their own. By resolving the matter, through mediation or by issuing a decision, the Board effectively and directly contributes to improved labour management relations in that enterprise.

Performance Analysis

Processing Time

The average time required to process a file—the time spent opening, investigating, mediating, hearing, and deciding a case—dropped significantly in 2009–10 to 230 calendar days from 311 in 2008–09. This is the lowest average in five years (see Chart 2). Although the decline in average processing time is evident for most types of matters in 2009–10, it is largely the result of the steep reduction in the processing of DFR complaints, which stood at 269 calendar days in 2009–10 compared to 459 days to previous year, a reduction of over 40%. Prior to 2007–08, DFR complaints were often set aside when more urgent matters arose. As a result, the CIRB had accumulated a significant backlog of DFR complaints, and their proportion of all pending matters grew from 25.6% in 2002–03 to almost 43% at the end of 2006–07. The CIRB took steps to seriously address this DFR backlog starting in the last quarter of 2007–08 and more extensively in 2008–09. One consequence of this is that the average processing time rose during this period, given that many of the resolved complaints were long-standing. Nevertheless, average processing time is the lowest it has been since 2003–04.

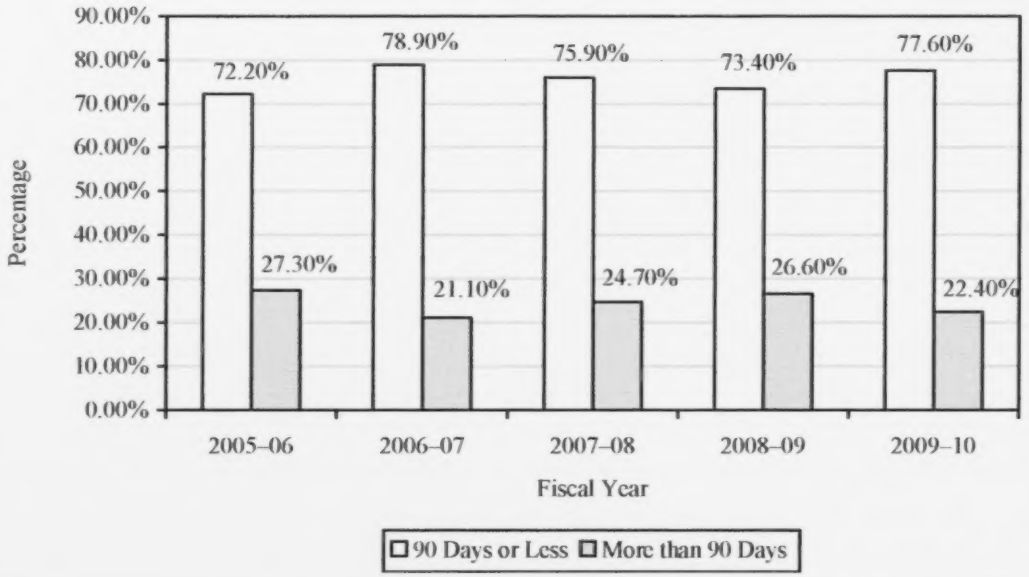


Decision-making Time

One component of the overall processing time is the length of time required by a Board panel to prepare and issue a decision following the completion of the hearing of a matter. A panel may decide a case without a hearing on the basis of written and documentary evidence, such as investigation reports and written submissions, or may defer the decision until further evidence and argument is obtained via an oral hearing.

Similar to processing time, and for many of the same reasons, the average decision-making time of disposed matters dropped significantly in 2009–10 to 94 days from 123 days in 2008–09 (see Chart 2). Another approach to evaluating the Board's performance on decision-making time is to use section 14.2(2) of the *Code* as a benchmark. This section requires that a panel must render its decision and give notice of it to the parties no later than ninety days after the day on which it reserved its decision or within any further period that may be determined by the Chairperson. By this criterion, the Board also shows an improvement in 2009–10 with close to 78% of cases having a decision rendered in 90 days or less, compared to slightly more that 73% in 2008–09 (see Chart 3). Excluding DFRs, the proportion rises to about 83%.

Chart 3–Distribution of Disposed Matters by Decision-making Time



Judicial Reviews

Another measure of the Board's performance, as well as a measure of the quality and soundness of it decisions, is the frequency of applications for judicial review of Board decisions by the Federal Court, and the percentage of decisions upheld as a result of these reviews. In this respect, the Board has performed exceptionally well. Of the 20 reviews heard by the Federal court in 2009–10, only one of the Board's decisions was not upheld, and in the last five fiscal years, only two were not upheld out of a total of 97 applications heard by the court.

Examples of significant judicial reviews in 2009–10 can be found at: http://www.cirb-ccri.gc.ca/publications/report-rapport_eng.asp.

Applications for Reconsiderations

Applications for reconsideration of Board decisions are an additional measure of the soundness and quality of Board decisions, and are also potentially an indication of future applications for judicial review to the Federal Court of Appeal. In 2009–10, the proportion of applications for reconsideration to all applications/complaints fell to 6.9% from 8.3% in 2008–09. There were 56 applications for reconsideration that were disposed in 2009–10; only two were granted.

Additional statistics can be found at: http://www.cirb-ccri.gc.ca/publications/report-rapport_eng.asp.

Internal Services

Internal services make a critical contribution to the achievement of the sole primary program. The Board is committed to continuously seek effective and efficient internal service delivery and is working to address challenges in line with the Clerk of the Privy Council's Public Service

Renewal priorities. During the reporting period, the Board undertook a review of its Client and Corporate Services, taking into consideration the evolving federal government direction with respect to shared services, where appropriate. Progress has been made on the planning of mitigation strategies to alleviate skills shortages and high employee turnover.

Lessons Learned

The complexity and implications of the issues facing federally regulated employers and unions require the Board to judiciously apply a wide range of knowledge and skills in diverse industrial relations, labour law and administrative law contexts. The development of Board jurisprudence and a generally stable economic environment over most of the 2000 decade resulted in a decrease in the number of cases coming before the Board, but the current environment may well change that situation. It is possible that the Board will receive more ULP complaints as a result of difficulties at the bargaining table, as well as more applications related to corporate restructuring or sale of business.

The significant improvement in the processing of DFR complaints has shown the Board that innovative measures developed in consultation with stakeholders is both possible and effective. Over the next year or two, stakeholder consultations are expected to focus on the review of the Board *Regulations*, and will likely lead to the implementation of other measures that will have as great an impact on case processing and disposition.

SECTION III: SUPPLEMENTARY INFORMATION

Financial Highlights

The financial highlights presented within this Departmental Performance Report are intended to serve as a general overview of CIRB's financial position and operations. The Board's financial statements can be found on the CIRB's Website at: http://www.cirb-ccri.gc.ca/publications/report-rapport_eng.asp.

($ thousands)

Condensed Statement of Financial Position At end of Fiscal Year (March 31, 2010)	**% Change**	**2008–09**	**2009–10**
ASSETS			
Total Assets	-17%	2,799	2,319
TOTAL	-17%	2,799	2,319
LIABILITIES			
Total Liabilities	-16%	3,883	3,279
EQUITY			
Total Equity	-11%	(1,084)	(960)
TOTAL	-17%	2,799	2,319

Total assets were $2.3 million in 2009-10, an increase of $480 thousand over the previous year. Tangible capital assets represent the largest portion of assets at $2.3 million.

Total liabilities were $3.3 million in 2009–10, a decrease of $604 thousand over the previous year. Employee benefits represent the largest portion of liabilities at $2.4 million. The balance of $828 thousands represents accounts payable.

($ thousands)

Condensed Statement of Operations At end of Fiscal Year (March 31, 2010)	**% Change**	**2008–09**	**2009–10**
EXPENSES			
Total Expenses	-1%	17,266	17,174
REVENUES			
Total Revenues	100%	1	0
NET COST OF OPERATIONS	-1%	17,265	17,174

Total expenses were $17.2 million in 2009–10, a decrease of $92 thousand compared to 2008–09.

List of Supplementary Information Tables

All electronic supplementary information tables found in the 2009-10 Departmental Performance Report can be found on the Treasury Board of Canada Secretariat's Website at: http://www.tbs-sct.gc.ca/dpr-rmr/2009-2010/index-eng.asp.

Table 1: Green Procurement
Table 2: Internal Audits

Other Items of Interest

- **Organizational Information**
  - Mandate, Role and Responsibilities
    http://www.cirb-ccri.gc.ca/about-apropos/role_eng.asp
    http://www.cirb-ccri.gc.ca/index_eng.asp
  - Departmental Organization
    http://www.cirb-ccri.gc.ca/about-apropos/cirborg.pdf
    http://www.cirb-ccri.gc.ca/about-apropos/members-membres/index_eng.asp

- **Illustrative Board Decisions and Judicial Reviews can be found at:** http://www.cirb-ccri.gc.ca/publications/report-rapport_eng.asp

- **Additional Statistical Reports can be found at:** http://www.cirb-ccri.gc.ca/publications/report-rapport_eng.asp

To Contact the Board

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